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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,340	01/30/2004	Marc Sacco	04107-P0001A	6368
24126	7590	04/06/2006	EXAMINER CAMPBELL, KELLY E	
ST. ONGE STEWARD JOHNSTON & REENS, LLC 986 BEDFORD STREET STAMFORD, CT 06905-5619			ART UNIT 3618	
PAPER NUMBER				

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/768,340	SACCO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kelly E. Campbell	3618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-21 and 28-47 is/are rejected.
- 7) ☒ Claim(s) 11 and 22-27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/9/04</u> .  | 6) <input type="checkbox"/> Other: ____.                                    |

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 19-21, 28-46 are rejected under 35 U.S.C. 102(b) as being anticipated by Lett (US 6,905,133)

Lett teaches a snowboard binding interface assembly for mounting a snowboard binding to a snowboard, the interface assembly comprising: a base plate (18) coupled to the snowboard and having a plurality of recesses (40,40a,40b) for receiving a locking device (32,44,48); a stationary annular retaining ring (36,36a) rigidly coupled to the base plate (18);

a binding plate (30) captured by said stationary annular retaining ring (36), said binding plate rotationally displaceable with respect to the stationary annular retaining ring;

a top plate (14) coupled to said binding plate (30) and to the snowboard binding; and a locking element (32), displaceable to engagingly lock said top plate to said base plate in one of a plurality of rotational positions; further comprising an alignment device (24) for aligning the locking element with one of the plurality of rotational positions.

wherein the binding plate (30) comprises a disk;

Art Unit: 3618

wherein the stationary annular retaining ring (36) has a lip (36a) that engages with an outer edge of the binding plate (30);

wherein the lip comprises a chamfered edge having an angle  $\alpha$ , and the binding plate has a chamfered outer edge having an angle  $\beta$ , where the sum of angle  $\alpha$  and angle  $\beta$  equal  $180^\circ$ , see Figure 4,

annular retaining ring having an inner circumference (L.sub.1); a binding plate captured by said stationary annular retaining ring, said binding plate rotationally displaceable to a plurality of rotational positions with respect to said stationary annular retaining ring, said binding plate having an outer circumference (L.sub.2), where (L.sub.2) is greater than (L.sub.1); and a top plate coupled between said binding plate and the snowboard binding, said top plate have an outer circumference (L.sub.3), where (L.sub.3) is greater than (L.sub.2).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-10, 12-18 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lett (US 6,905,133) as applied to claim above, and further in view of Eaton et al (US 5,803,481).

Art Unit: 3618

Lett teaches all aspects of the claimed invention except a lock pin-locking configuration.

Eaton et al teaches a locking pin (82) for locking a base plate (46) to plate (32), wherein locking pin extends through the plates to engage locking holes (98) located in the base plate;

Biased by spring (104); wherein locking holes are distributed around the base circumference, see Figure 6;

Wherein the locking pin is attached to leash (112) and vertically displacing the locking element (82) is accomplished by pulling on the leash.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention to include a pin release lock mechanism to provide a locking device actuatable by the user from the standing position for immediate release.

### ***Allowable Subject Matter***

Claims 11 and 22-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly E. Campbell whose telephone number is (571) 272-6693. The examiner can normally be reached on 9:00-5:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis can be reached on (571) 272-6914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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